

RECEIVED  
CENTRAL FAX CENTER

DEC 09 2004

 imation

imaginative solutions.

PATENT

Docket No. 10241US02

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
JATHAN D. EDWARDS )  
Serial No.: 10/648,533 ) Examiner: Paul W. Huber  
Filed: August 25, 2003 ) Group Art Unit: 2653  
For: TRACKING TECHNIQUES FOR HOLO- )  
GRAPHIC DATA STORAGE MEDIA )

**CERTIFICATE OF TELEFACSIMILE TRANSMISSION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Examiner Paul Huber  
Fax No.: (703) 872-8314

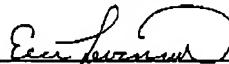
Dear Sir:

I certify that the following pages are being telefacsimile transmitted to the U.S. Patent and Trademark Office on the date shown below:

1. Amendment, including Certificate of Facsimile (6 pages)
2. Terminal Disclaimer to Obviate a Double Patenting Rejection (1 page)

Respectfully submitted,

12/19/04  
Date

  
Eric D. Levinson  
Reg. No. 35,814

imation Legal Affairs  
P.O. Box 64898  
St. Paul, Minnesota 55164-0898  
Telephone: (651) 704-3604  
Facsimile: (651) 704-5951

**8 PAGES - INCLUDING COVER PAGE**

Terminal Disclaimer To Obviate A Double  
Patenting Rejection Over A Prior PatentDocket No.  
10241US02

In Re Application Of: Jathan D. Edwards

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/648,533	08/25/2003	Paul W. Huber	30590	2653	4460

Invention: TRACKING TECHNIQUES FOR HOLOGRAPHIC DATA STORAGE MEDIA

Owner of Record: Imation Corp.

COMMISSIONER FOR PATENTS:

The above-identified owner of record of a 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 6,625,100. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors and/or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Check either box 1 or 2 below, if appropriate.

1.  For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2.  The undersigned is an attorney of record.



Signature

Dated: 12/9/04

Eric D. Levinson

Typed or Printed Name

Terminal disclaimer fee under 37 C.F.R. 1.20(d) is ~~waived~~ Charge to Deposit Account 09-0069.  
 PTO suggested wording for terminal disclaimer was unchanged.  
 Certification under 37 C.F.R. 3.73(b) is required if terminal disclaimer is signed by the assignee.